

MINUTES

CITY COUNCIL MEETING

OCTOBER 26, 2004

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:34 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR MITCHELL.

PLEDGE OF ALLEGIANCE

MAYOR MITCHELL led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Staff Present: City Manager Doug Prichard

Assistant City Attorney Stephen Pfahler

Assistant City Manager Sam Wise

Planning Director David Wahba

Senior Planner Niki Cutler

Community Services Director Andy Clark

Finance Director Jud Norrell

Administrative Analyst Greg Grammer

Others Present: Dave Pierson, Park and Activities Commission

Richard Somers, Planning Commission

Jack Wong, JWA Consultants

CEREMONIAL ITEMS

A. RESOLUTION OF COMMENDATION IN RECOGNITION OF JUD NORRELL FOR HIS SERVICE AS FINANCE DIRECTOR

MAYOR MITCHELL presented Jud Norrell with a Resolution of Commendation and expressed her appreciation for his service to the City.

Mr. Norrell noted his pleasure in working with the COUNCIL and staff.

ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF OCTOBER 12, 2004

MAYOR MITCHELL requested the following correction on Page 11, Paragraph 1:

*".....TO DIRECT STAFF TO PREPARE A REQUEST FOR QUALIFICATIONS FOR COUNCIL CONSIDERATION FOR THE CONDUCT OF A SALARY AND BENEFITS SURVY **SURVEY** AND*

OPERATIONS STUDY."

MAYOR PRO TEM ADDLEMAN requested the following addition on Page 7, Paragraph 9:

*"MAYOR PRO TEM ADDLEMAN noted his concern about how this building will fit in with the commercial district and would have liked to have seen a **computer-generated** picture to assist him in envisioning both the copper and zinc screening."*

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE CITY COUNCIL MINUTES OF OCTOBER 12, 2004 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

B. DEMANDS AND WARRANTS – OCTOBER

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO Approve Warrants 36374 THROUGH 36426 FOR A GRAND TOTAL AMOUNT OF \$221,819.64 with proper audit.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

CONSENT CALENDAR

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO APPROVE ITEMS A, C-F.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

C. SEPTEMBER 2004 SCHEDULE OF INVESTMENTS

Recommendation: That the City Council receive and file the Schedule of Investments Report for the month of September 2004.

RECEIVED AND FILED.

D. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 8, 2004

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED OCTOBER 15, 2004

RECEIVED AND FILED.

F. THIRD AMENDMENT TO AGREEMENT WITH MUNICIPAL STABLES MANURE REMOVAL SERVICE CONTRACTOR

Recommendation: That the City Council approve the Third Amendment to the Agreement for Services with Scott Hill, doing business as Seahorse Riding Club, to extend manure removal services through March 31, 2005.

APPROVED.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

A. PRESENTATION BY CHRISTINE PARKS REGARDING PROPOSED PENINSULA-WIDE YOUTH COUNCIL

Christine Parks distributed information to the COUNCIL about their proposed project. She stated that this is designed to promote local government involvement as well as leadership skills for students. Two other students spoke regarding their participation in the educational and activities committees.

MAYOR MITCHELL noted that a number of City events are held throughout the year and encouraged them to volunteer in the Community Services Department and contact Andy Clark or Greg Grammer for assistance.

COUNCILMAN ZUCKERMAN suggested a letter of recognition from the MAYOR might be in order.

COUNCILWOMAN SEAMANS noted her hope that this effort is successful as it is important for local government to understand the youth's needs in the community.

In conclusion, the students were referred to their school instructors for assistance in guiding them along in this process.

NEW BUSINESS

B. APPOINTMENT OF CITY TREASURER

Pulled from Consent Calendar and considered under New Business.

COUNCILWOMAN SEAMANS requested clarification as to why this resolution is necessary.

City Manager Prichard explained that this is a routine item and has been adopted in the past when a vacancy occurs in the Finance Director's position. He noted that a Treasurer is needed to handle signatures, investments and other functions until such time as a new Finance Director is appointed.

1. RESOLUTION NO. 2063 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPOINTMENT SAMUEL R. WISE AS CITY TREASURER AND FIXING THE COMPENSATION OF APPOINTED CITY OFFICIALS.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO ADOPT RESOLUTION NO. 2063.

City Manager Prichard read Resolution No. 2063 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

PUBLIC HEARINGS/MEETINGS

A. PLANNING APPLICATION NO. 28-03; APPLICANT: KEN SHOOR; LOCATION: 17 SILVER SADDLE LANE

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Approve PA-28-03 upholding the Planning Commission's decision with listed conditions.

Assistant Planner Wong provided a staff report (as per agenda material).

MAYOR PRO TEM ADDLEMAN inquired as to how many second-story homes are on Silver Saddle Lane.

Assistant Planner Wong indicated that he was not aware of any on the lower side of the street, but one had been approved on the upper section at 51 Silver Saddle in the mid-1990s. MAYOR PRO TEM ADDLEMAN noted that this home is hidden from view and the Applicant's would be the first second-story to be seen from the street.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Ken Shorr, Applicant, noted his desire to expand his home as he has a larger family and is looking to create more space and privacy. He indicated his desire to have a one-story home, but decided the layout was not feasible. Additionally, he pointed to three other homes that are also two-story on Silver Saddle and requested the COUNCIL approve his application.

Ed Beall, Architect, stated that this design is a good one and requested COUNCIL approval as well.

Grace Allen, 51 Ranchview Road, commented that she had written a letter to the City stating her opposition because she believed it would cause a view impairment. It was noted that the Planning Commission did not consider this to be the case.

Discussion ensued on the findings of "significant" views.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Discussion ensued with COUNCILMAN ZERUNYAN inquiring from what direction Mrs. Allen's picture was taken. Mr. Allen stated it was from the backyard with a zoom lens.

Planning Director Wahba noted that the City has a view protection ordinance as well as neighborhood compatibility standards and that new construction, whether it is an addition or new home, must be silhouetted to determine what view impact, if any, will show. He went on to state that historically the City evaluates views very carefully as it does not have a view restoration ordinance for private vegetation.

Assistant Planner Wong stated that the flagged area will actually be 11 inches lower than what is shown.

Assistant City Attorney Pfahler noted the following questions to assist in the COUNCIL'S analysis: 1) Is this a highly scenic view according to the ordinance; or 2) Does the proposed development have a significant impact on that view?

MAYOR MITCHELL indicated she had visited Mrs. Allen's home and noted a significant view of City lights and mountains, but believed the impact from this construction would be relatively minor as it will be lowered. She noted her concurrence with the Planning Commission's decision.

MAYOR PRO TEM ADDLEMAN visited the site as well as the Applicant's reiterating that the ridgeline will be lower and suggested lacing the trees in the backyard to improve the neighbor's view.

COUNCILWOMAN SEAMANS noted in previous cases when she served on the Planning Commission as well as the COUNCIL, and that consistency is important. On this particular project, she stated that it does not appear to be a full second-story, and therefore, would not be a major view impairment.

COUNCILMAN ZERUNYAN concurred with the aforementioned comments.

COUNCILMAN ZUCKERMAN concurred with the COUNCIL as well and commented that, while he believes there is a significant view impact in regards to city lights for the Allens, it does not rise to a substantial level of impairment. He noted that the Applicant has attempted to accommodate the neighborhood in lowering the height and supported the Planning Commission's decision.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE PA-28-03 UPHOLDING THE PLANNING COMMISSION'S DECISION WITH LISTED CONDITIONS AS STATED IN THE STAFF REPORT.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

Ed Beall reported on the success of the Concours D'Elegance held on September 18-19 and was pleased to announce that this event will return at the Rolling Hills Country Club next year.

B. PLANNING APPLICATION NO. 27-03; APPLICANT: JUDY CHAI; LOCATION: 5883 CREST ROAD AT THE NORTHEAST CORNER OF CREST ROAD AND HIGHRIDGE ROAD

Recommendation: That the City Council: 1) Open the public hearing; 2) Take public testimony; 3) Discuss the issues; 4) Close the public hearing; and 5) Approve PA-27-03 and the associated Mitigated Negative Declaration upholding the Planning Commission's decision subject to the conditions of approval identified in Planning Commission Resolution No. PA-27-03.

Senior Planner Cutler provided a staff report (as per agenda material).

COUNCILMAN ZUCKERMAN requested additional background on single commercial uses. Planning Director Wahba explained that this is a guideline summarizing types of neighborhood services. He noted that there are only two sites designated as Commercial-Limited (C-L) which are the Pepper Tree Lane development and the Applicant's.

MAYOR MITCHELL inquired if consideration was given to eliminating the retail component while retaining the commercial use.

Planning Director Wahba noted that the surrounding neighborhood was not in favor of allowing a convenience store, laundromat, etc. He stated that the Applicant wished to utilize a portion for retail while the remaining building would be utilized for office space.

COUNCILMAN ZERUNYAN highlighted remarks made by Mrs. Myers in her letter denoting how this building's proposed uses are inappropriate. He inquired if the Planning Commission had discussed a residential project, and if so, how it would affect Seaview Villas.

Planning Director Wahba provided a brief history of this site noting that the Applicant has owned this property for over 10 years. In response to the residential use, he noted that anything more than a single-story building on that site would not be possible.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

Dale Ulman, Architect, 302 West 5th Street, San Pedro, provided additional detail noting that many alternatives had been considered for that site. If a residential use would have been proposed, he stated that the surrounding neighbors' views could not be preserved, therefore, it was the Applicant's preference to have a single tenant as well as her own business.

MAYOR MITCHELL inquired as to what type of business the Applicant wished to pursue; the flower or tea shop. Mr. Ulman indicated that this has been an ongoing project three years in the making, and once the timetable has been established, marketing of this property will commence.

COUNCILMAN ZERUNYAN noted that historically this site's retail use has not done well, and the last thing he would like to see this building remain empty until a tenant is found.

Mr. Ulman responded by acknowledging this is a challenging location and also shared those concerns expressed.

COUNCILMAN ZUCKERMAN inquired if a tea shop was being proposed would seating be requested as part of the plan.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO CLOSE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

COUNCILWOMAN SEAMANS commended the Applicant on recreating this site with a nice design and believed it will benefit the City to have a small commercial business in that location and wished her well.

While COUNCILMAN ZUCKERMAN concurred with the aforementioned comments, although he noted his concern with the two proposed uses, particularly the "beverage" store as it may become a nuisance to the neighbors if students decide to assemble there and a tutorial center would generate additional traffic as well as parking issues.

Discussion ensued with MAYOR MITCHELL noting her reluctance to place restrictions on the Applicant as long as she incorporates adequate parking into the plan.

COUNCILMAN ZUCKERMAN commented that a beverage shop would have increased demand for parking rather than a restaurant.

Assistant City Attorney Pfahler noted that this type of business would not be allowed unless prior written approval is obtained as stated in the ordinance for the commercial-limited zone. Additionally, it was noted that a tutorial use would not be permitted unless a conditional use permit is approved.

After further discussion, COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO DIRECT STAFF TO PREPARE A RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE PA-27-03 AND THE ASSOCIATED MITIGATED NEGATIVE DECLARATION SUBJECT TO THE CONDITIONS OF APPROVAL IDENTIFIED IN PLANNING COMMISSION RESOLUTION NO. 27-03.

There being no objection, MAYOR MITCHELL so ordered.

NEW BUSINESS (*Taken out of order*)

C. DAPPLEGRAY ROOFING POLICY (GRANT MOGFORD; 21 DAPPLEGRAY LANE)

Recommendation: That the City Council discuss the City's present re-roofing policies regarding asphalt shingles, particularly with regard to the pending application at 21 Dapplegray Lane, and advise the staff accordingly, using the suggested parameters as outlined in the staff report.

Planning Director Wahba provided a staff report (as per agenda material).

COUNCILMAN ZERUNYAN inquired if the City has the right to enforce a private contract between a homeowner and the homeowners' association. Assistant City Attorney Pfahler indicated that the City could not as it may create a potential liability issue.

Discussion ensued regarding the homeowners' association's antiquated CC&Rs and the need to have them brought up-to-date.

MAYOR MITCHELL noted that the City does not permit wood shake or wood shingles as stated in the ordinance.

In regards to the homeowners' association's procedures, Planning Director Wahba stated that their approval is a courtesy, as the City has the ultimate authority to make a final decision.

Grant Mogford, Applicant, commented that he purchased his home in 2003 and was given general information from the homeowners' association. He indicated that it did not mention specific types of roofs and was dismayed to find out that asphalt shingles were undesirable as it was his intention to proceed with this material. He reiterated that the CC&Rs had not been amended and believed the rules to be selectively enforced.

Mr. Mogford described how he had waited 60 days for a response from the homeowners' association, found out there was opposition to the asphalt shingles, and then contacted an attorney.

Kirk Retz, 18 Dapplegray, President, Dapplegray Homeowners' Association, addressed the issue of roof compatibility. He distributed photographs depicting their preference for tile roofs as opposed to the Applicant's for asphalt shingles noting a definite aesthetic difference between the two. Samples of light weight concrete and synthetic shake were presented as well.

In response to the CC&Rs, Mr. Retz indicated he is currently working with Jerry Gliksman on those revisions.

Discussion ensued regarding neighborhood compatibility as there are asphalt roofs throughout the area. Mr. Retz suggested the City undertake a study to determine whether or not this material is compatible. He noted that the homeowners' association has been flexible in what they have approved in the past.

In regards to the Applicant, Mr. Retz provided a lengthy description of how this matter came before their board where he noted that Mr. Mogford delayed taking any action. Additionally, he indicated the Applicant contacted an attorney and the Association received a threatening letter from him.

COUNCILMAN ZUCKERMAN requested clarification of the expense for these two styles of roofs. Mr. Retz stated that there the preferred material is slightly more expensive than asphalt.

Jerry Gliksman, 87 Dapplegray, noted the main issue is one of aesthetics. He reminded the COUNCIL that they had supported the homeowners' association's position that asphalt shingles were not as visually pleasing as other styles. He emphasized that they had

exercised due diligence on any roofing, painting, etc., requests and that the Applicant was told what the association would accept. He then requested the COUNCIL uphold this policy.

In response to MAYOR MITCHELL'S inquiry regarding revision of the CC&Rs, Mr. Gliksman indicated that the homeowners' association membership dues are voluntary and that it is difficult, if not impossible, to amend the CC&Rs.

COUNCILMAN ZUCKERMAN inquired if the homeowners' association would continue to deny this request if the Applicant's roof was approved by the City.

Mr. Gliksman stated that he is not sure as to what their legal position is, but would encourage an applicant to reconsider an application based on other materials available at a similar cost.

COUNCILMAN ZUCKERMAN then inquired as to why a determination was not reached within 30 days from the Applicant's request as listed in the CC&Rs.

Mr. Gliksman explained that a letter was received from the Applicant's attorney threatening legal action if the homeowner's association did not approve his application. He noted that he was told the Applicant would not change his mind, and therefore, did not communicate with him any further. Additionally, he stated that the majority of those who attended the board meeting did not support asphalt shingles.

MAYOR MITCHELL reminded Mr. Gliksman that in 2000 the association was told to amend their CC&Rs to include enforcement of specific roofing materials. Mr. Gliksman noted their board acts in an advisory capacity and oftentimes it is difficult to retain members.

COUNCILMAN ZERUNYAN noted that it would be appropriate to take this matter to the neighborhood as well as place an article in their newsletter.

Mr. Gliksman noted that this item will be placed on the agenda at their annual meeting. He reiterated the fact that the COUNCIL had adopted a policy supporting the association in their decision.

For clarification purposes, Planning Director Wahba explained that existing policy requires an applicant to go through this homeowners' association for approval. He noted that generally the association and applicants have worked together towards a positive resolution.

Discussion continued with MAYOR MITCHELL noting that the CC&Rs do not address the asphalt shingle issue. She referred to the grantor having a reversionary interest and wished to have this researched further.

City Manager Prichard inquired if staff should continue implementing the policy as set by COUNCIL in 2000 or gather more information to assist the COUNCIL in making a decision.

After extensive discussion, COUNCILMAN ZUCKERMAN stated his support for homeowners' associations as they uphold high standards for their neighborhood although in this case he noted that the application could not be denied on the issue of compatibility.

COUNCILMAN ZERUNYAN noted he was uncomfortable that the CC&Rs had not been amended.

MAYOR MITCHELL advised Mr. Gliksman to have an attorney review the CC&Rs.

Dawn Wilson, 69 Dapplegray, addressed the issue and how this would affect seniors on fixed incomes. In her case, she noted that she was threatened with a lien on her home if she did not utilize the recommended style for her roof.

Kathy Gundloch, 75 Dapplegray, concurred with MAYOR MITCHELL'S comments as she

read the CC&Rs and assumed that asphalt shingles would be permitted. She noted that she needs a new roof and believed she was not completely informed as to what to expect when she moved into the neighborhood.

Mr. and Mrs. Mark Ibel, 22 Sorrel Lane, commented that they are a long-time residents and appreciated the work the homeowners' association has done in the past as they had served on the board for many years. Mrs. Ibel then noted if the installation is done in a professional manner, it should be the resident's right to remodel a home as they see fit and supported undertaking a survey.

Richard Freeman, 38 Dapplegray, noted his opinion that asphalt does not fit the neighborhood as it is unattractive and had installed a concrete shake roof.

Dale Allen, 39 Buckskin, stated that he was pleased when he received a letter from the City informing him that a concrete shake roof was required because it keeps up the appearance of the homes.

Chuck Berma, 50 Buckskin, commented that he liked the shake look.

Mr. Gliksman responded to a prior comment that the association has never threatened to place a lien on a resident's home.

Betty Burke, 42 Dapplegray, noted how much she loves the neighborhood and serves on the board. She reported that they had been working on the CC&Rs for the past two years as it is their goal to retain the ranch-style look of the homes. She questioned the purpose of their architectural committee if it is not supported by the City.

Mrs. Mogford, Applicant, refuted the issue of compatibility since most the roofs are varied. She noted their desire to restore the home to its original look from 1947. In regards to the CC&Rs, she noted that if they were amended, then it would promote homes to be similar in appearance. As of now, she stated this is not included in the bylaws.

COUNCILWOMAN SEAMANS stated that the COUNCIL is struggling with this issue acknowledging that, while the CC&Rs are inaccurate, she would encourage the Applicant and the association to compromise on a satisfactory conclusion.

COUNCILMAN ZUCKERMAN also encouraged the Applicant to work with the board as previous residents have done as the board has attempted to be flexible. However, if the Applicant still chooses the asphalt shingles, he stated he would be compelled to make a finding of compatibility in the Applicant's favor.

MAYOR PRO TEM ADDLEMAN indicated his desire to support the association as they do a fine job in maintaining their neighborhood. He also suggested the Applicant reconsider his position and cooperate with the board on their application as other residents have done. Additionally, he suggested residents participate in the association so their voices can be heard.

Brief discussion ensued regarding the cost of an asphalt roof versus concrete tiles where it was noted that labor is significantly higher with the latter style.

MAYOR MITCHELL concurred with COUNCILMAN ZUCKERMAN'S comments that a finding of compatibility could be made.

It was the consensus of the COUNCIL to direct staff to provide additional information prior to rendering a decision.

COUNCILMAN ZERUNYAN expressed his desire to proceed with this course of action through the homeowners' association for there is clearly a policy issue at hand and residents should be able to choose what is appropriate for their neighborhood.

After further discussion, it was the consensus of the COUNCIL

TO DIRECT STAFF TO TABLE THE APPLICATION IN ORDER TO CONDUCT A SURVEY OF THE DAPPLEGRAY LANE HOMES ON THEIR PREFERENCE FOR TYPES OF ROOFING MATERIALS AS WELL AS A DETERMINATION ON THE NUMBER OF ASPHALT ROOFS THAT ARE IN THE NEIGHBORHOOD.

A. PARK AND ACTIVITIES COMMISSION MINUTES OF OCTOBER 19, 2004

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF OCTOBER 19, 2004.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

1. PARK AND ACTIVITIES COMMISSION ACTION ITEM FROM MEETING OF OCTOBER 19, 2004

Recommendation: That the City Council enter into an agreement with Pageantry Productions to provide parade management services for the 2004 Peninsula Holiday Parade.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE ENTERING INTO AN AGREEMENT WITH PAGEANTRY PRODUCTIONS TO PROVIDE PARADE MANAGEMENT SERVICES FOR THE 2004 PENINSULA HOLIDAY PARADE.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

ADJOURNED TO PEPPER TREE FOUNDATION CORPORATION MEETING AT 11:20 P.M.

2. PEPPER TREE FOUNDATION ADVISORY BOARD ACTION ITEM FROM MEETING OF OCTOBER 19, 2004 – GOLF TOURNAMENT DATE (SEPTEMBER 13, 2005)

Recommendation: That the Pepper Tree Foundation Board of Directors approve the confirmation agreement and deposit of \$100 to hold the Pepper Tree Foundation Golf Tournament at Los Verdes Golf Course on Tuesday, September 13, 2005.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE CONFIRMATION AGREEMENT AND DEPOSIT OF \$100 TO HOLD THE PEPPER TREE FOUNDATION GOLF TOURNAMENT AT LOS VERDES GOLF COURSE ON TUESDAY, SEPTEMBER 13, 2005.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

RECONVENE CITY COUNCIL MEETING AT 11:22 P.M.

D. COMMERCIAL DISTRICT HOLIDAY LIGHTING PRICE QUOTE (*Taken out of order*)

Recommendation: That the City Council contract with the services of Harrington Decorating Company, Inc., for the installation of holiday on twelve (12) selected pine trees in the Silver Spur Road Commercial District medians.

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ADDLEMAN

TO APPROVE ENTERING INTO A CONTRACT WITH HARRINGTON DECORATING COMPANY, INC., FOR THE INSTALLATION OF HOLIDAY LIGHTING ON TWELVE (12) SELECTED PINE TREES IN THE SILVER SPUR ROAD COMMERCIAL DISTRICT MEDIANS.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. COMPREHENSIVE ANNUAL FINANCIAL REPORT AND RELATED DOCUMENTS FOR FISCAL YEAR ENDED JUNE 30, 2004

Recommendation: That the City Council receive and file: 1) Comprehensive Annual Financial Report; 2) Communication with Governing Body letter; 3) Report on Compliance and on Internal Control Over Financial Reporting; 4) Appropriations Limit Report; and 5) Fiscal Health Report.

City Manager Prichard introduced Interim Finance Director Mike Whitehead to the COUNCIL.

MAYOR PRO TEM ADDLEMAN noted that, while the auditor submitted a clean opinion of these reports, the City should pay close attention to Vehicle License Fees and the General Fund revenues and expenses in the coming year. He then commended Mr. Norrell on an excellent job.

COUNCILMAN ZERUNYAN commented that he was pleased with the fiscal health report as presented. Additionally, he noted with existing and proposed projects in the future, that this will greatly increase City revenues.

COUNCILMAN ZUCKERMAN referred to a typographical error on Page vi and requested it be corrected prior to final distribution. He noted his concern with the tremendous increase in water bills over the last two years. City Manager Prichard noted this will be analyzed in a future report for COUNCIL review.

MAYOR PRO TEM ADDLEMAN moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE FOLLOWING DOCUMENTS: 1) COMPREHENSIVE ANNUAL FINANCIAL REPORT; 2) COMMUNICATION WITH GOVERNING BODY LETTER; 3) REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING; 4) APPROPRIATIONS LIMIT REPORT; AND 5) FISCAL HEALTH REPORT.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

OLD BUSINESS

A. FINDINGS AND RECOMMENDATIONS OF THE REFUSE FRANCHISE COMMITTEE

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM ADDLEMAN

TO RECEIVE AND FILE THE FINDINGS AND RECOMMENDATIONS OF THE REFUSE FRANCHISE COMMITTEE.

THERE BEING NO OBJECTION, MAYOR MITCHELL SO ORDERED.

CITY ATTORNEY ITEMS

NONE

CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of

the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

DEFERRED TO THE NEXT MEETING.

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public.

DEFERRED TO THE NEXT MEETING.

CLOSED SESSION

NONE

ADJOURNMENT

At 11:35 p.m., MAYOR MITCHELL formally adjourned the City Council to the City Celebration Debriefing meeting scheduled for Tuesday, November 2, 2004 at 6:00 P.M. located at Giorgio's Restaurant.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Clerk